

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF ARIZONA  
CIVIL MINUTES - JURY TRIAL DAY 6

Phoenix Division

MDL 15-2641-PHX-DGC

DATE: 9/25/2018

Year Case No Initials

Title: IN RE: Bard IVC Filters Products Liability Litigation  
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HON: DAVID G. CAMPBELL

Traci C. Abraham

Deputy Clerk

Patricia Lyons/Jennifer Pancratz

Court Reporter

APPEARANCES:

Mark O'Connor, Ramon Lopez, Laura Smith, Stuart Goldenberg, Julia  
Reed-Zaic

Attorney(s) for Plaintiff(s)

James Condo, Elizabeth Helm, James Rogers, Candace Camarate

Attorney(s) for Defendant(s)  
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PROCEEDINGS:   X   Jury Trial DAY 6

**3rd Bellwether Trial- Plaintiffs Lisa Hyde - Present**

8:30 Court is in session. Parties are present. Objections to witnesses and exhibits for Matthew Fermanich, Chad Modra and John Van Vleet discussed. Exhibit 1053 discussed. Bret Baird testimony and news article on the Booker trial in Atlanta discussed. 9:00 Jury is present. Dr. David Henry video testimony continues. 9:16 John Van Vleet sworn and examined. Exhibit 1036,4617 admitted. 10:30 Court is in recess.

10:45 Court is in session. Parties are present. Jury is present. John Van Vleet examination continues. Exhibit 1621,1821,2252,709,6013 admitted. 11:38 Chad Modra sworn and examined. 12:00 Court is in recess.

12:55 Court is in session. Parties are present. Complaint files, exhibit 3270 discussed. Court orders 11157,11122,11256 reviewed by the Court and will govern the same evidence in this case. Exhibit 4804, 1<sup>st</sup> email of Ms. Starr will be admitted. 1:04 Jury is present. Chad Modra examination continues. Exhibits 3262, 3270,3304, 1680(redacted), 4515(pages 12-13only) admitted. 2:00 Dr. David Ciavarella appears by video deposition. Exhibits 2057,1216,922,923,924,925,991,927,931,1221 admitted subject to redactions. 2:30 Jury excused. 2:30 Exhibits 927 and 931 shown in video of Dr. Ciavarella were not redacted per agreement of the parties. 2:30 Court is in recess.

2:45 Court is in session. Parties are present. Jury is present. Dr. David Ciavarella video deposition continues. 3:11 Robert Carr Jr. sworn and examined. Exhibit 1578,4409,4438,4430,770,504,769 admitted.

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3:57 Matthew Fermanich appears by video deposition. Exhibits 4785,4786,4794,4795,4797, 4798(admitted on 9/21/18), 4804(redacted),4806( redacted, admitted on 9/21/18), 4809,4812 admitted subject to redactions as ruled by the Court.4:24 Jury excused. 4:25 Discussion with counsel. 4:27 Court in recess.

Jury trial continues on 9/26/2018 at 8:30 a.m.